

(d) Remarks

The claims are 1, 2 and 4-11 with claims 1, 8, 10 and 11 being independent. The subject matter of Claim 3 has been added to Claim 1 and claim 3 is cancelled. Claims 1 and 2 were also amended to clarify the intended invention. Claim 10 is a species of Claim 1 and Claim 11 is closed to ingredients materially affecting its properties, but not necessarily to conventional additives and/or contaminants.

Applicants confirm the election of Group 1, claims 1-7 and request rejoinder of non-elected Claims 8 and 9 under MPEP § 821.04 once allowable subject matter is indicated. Claim 8 is commensurate in scope to the product of claim 1.

A new, more descriptive title has been provided as requested.

Claims 1-3, 6 and 7 was rejected as anticipated by Ranjan '514. Claims 4 and 5 were deemed obvious over Ranjan '1514. The rejections are respectfully traversed.

Prior to addressing the grounds of rejection, applicants wish to briefly review certain key features and advantages of the present claimed invention. Applicants have found that CoPt and FePt alloys are promising to provide higher recording density. However, in order to resist the superparamagnetic effect of fine Co-Cr magnetic particles, it has proven necessary to control magnetic anisotropy energy of the CoPt or FePt alloy. To achieve that benefit, it is necessary to transform the alloy to a  $L1_0$  - ordered alloy. However, because a glass substrate or the like is typically used, see page 3, paragraph [0006] it is desired to reduce the temperature required to transform the CoPt or FePE alloy into  $L1_0$ - ordered alloy. Applicants have found that at least one of Cu, Ni or B in amounts of 1-40 atomic percent is effective, see [0630] and [0070]. Conversion to a  $L1_0$ - ordered alloy increased coercive force 35% to 70%. The temperature to transform the alloy to the

L1<sub>0</sub> ordered alloy was reduced thereby protecting the substrate from thermal damage [0066].

Ranjan fails to teach or suggest a magnetic material comprising an L1<sub>0</sub>-ordered alloy. Therefore, it cannot act as an anticipation. Moreover, Ranjan requires use of tantalum and titanium to provide an alloy with improved corrosion resistance. Tables 1 and 2 of Ranjan show the need for tantalum and/or titanium. See also Col. 4, lines 60-65; Col. 5, line 13-18; Col. 6, lines 54-62 and Col. 10, Lines 58-67.

Newly added claim 10 is distinguishable from Ranjan, since Ranjan fails to teach FePt alloy or an L1<sub>0</sub>-ordered alloy. Claim 11 further excludes tantalum and titanium required in Ranjan.

Claims 1, 2, 4-7, 10 and 11, should be allowed, claims 8 and 9 rejoined and allowed and the case passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Peter Saxon/

Peter Saxon  
Attorney for Applicants  
Registration No. 24,947

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200